

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Jermichael Desper, II,**

**Plaintiff,**

**v.**

**Noble Correctional Institution,**

**Defendant.**

**Case No. 2:24-cv-4132**

**Judge Michael H. Watson**

**Magistrate Judge Silvain, Jr.**


**ORDER**

The Magistrate Judge noted several deficiencies with the initial filing in this case, including that the Complaint was unsigned, the filing fee was not paid, and the motion for leave to proceed in forma pauperis was incomplete and unsigned. Deficiency Order, ECF No. 4. Accordingly, the Magistrate Judge ordered Plaintiff to sign the Complaint and return it to the Clerk of Court, with the full filing fee or a completed and signed motion for leave to proceed in forma pauperis, within thirty days. *Id.* Plaintiff was warned that a failure to comply would result in dismissal of the case for failure to prosecute. *Id.*

After Plaintiff failed to comply with that Deficiency Order, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending the Court deny Plaintiff’s motion for leave to proceed in forma pauperis and dismiss Plaintiff’s Complaint for failure to prosecute. R&R, ECF No. 5. The R&R notified Plaintiff of his right to object to the recommendation contained therein and that a failure to timely object would forfeit appellate rights. *Id.*

Plaintiff failed to timely object. Accordingly, the Court **ADOPTS** the R&R, **DENIES** Plaintiff's motion for leave to proceed in forma pauperis, and **DISMISSES WITHOUT PREJUDICE** Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 41(b).

**IT IS SO ORDERED.**

  
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**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**